

Sixth Appellate District

San Jose, California

MONDAY, APRIL 9, 2007

H030215 PEOPLE v. CALDERON

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated April 3, 2007, is hereby vacated. The court by separate letter issued April 5, 2007, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: April 9, 2007

McAdams, Acting P.J.

H029706 PEOPLE v. FLORES

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed April 9, 2007

The following case is submitted this date:

H024508 PEOPLE v. CHI

TUESDAY, APRIL 10, 2007

The following cases are submitted this date:

H030339 PEOPLE v. GUSTAVO O.

H030653 PEOPLE v. GREEN

H030973 PEOPLE v. BARNES

H030352 PEOPLE v. VAUGHN

H030805 PEOPLE v. FRASER

H030385 PEOPLE v. WILLIAMS

H030588 PEOPLE v. RAGHUNATH

H030889 PEOPLE v. MORGA

H023394 PEOPLE v. PENA, et al.

H030121 PEOPLE v. CASTRO

Probation conditions Nos. 18 and 19 are modified to read:  
Condition No. 18: Defendant is not to associate with any individuals she knows to be gang members or whom she knows to be on probation or parole. Condition No. 19: Not to remain as a passenger or driver in any vehicle which she knows or suspects is stolen or knows or suspects contains any firearms or illegal weapons. As so modified, the judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed April 10, 2007

Sixth Appellate District

San Jose, California

Tuesday, April 10, 2007 (continued)

H030524 In re LORAINA D.; DFCS v. VIRGINIA C.

The order terminating appellant's parental rights is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed April 10, 2007

H029918 MARRIAGE OF SCHLAFLY

The December 20, 2005 child support order is reversed with directions to recalculate the base child support payments, effective January 1 and January 23, 2006, omitting \$3,000 in non-taxable income attributed to Roger's mortgage-free housing. On remand, the court may consider whether Roger's mortgage-free housing is a special circumstance under section 4057 justifying deviation from the guideline amount. The attorney's fees order is affirmed. The parties are to bear their own costs on appeal (partial publication)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed April 10, 2007

WEDNESDAY, APRIL 11, 2007

H030095 MARRIAGE OF ZHONGHUA WU AND WEI LIN

The February 2006 order terminating spousal support is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed April 11, 2007

H029794 GARCIA v. STATE FARM GENERAL INSURANCE COMPANY

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed April 11, 2007

The following case is submitted this date:

H027362 PEOPLE v. RODRIGUEZ

THURSDAY, APRIL 12, 2007

The following case is submitted this date:

H024870 PEOPLE v. SARIK

Sixth Appellate District

San Jose, California

Thursday, April 12, 2007 (continued)

H030546 WAINA v. MONTEREY COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES

The order is reversed. The matter is remanded to the trial court with instructions to vacate its prior order of June 20, 2006. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed April 12, 2007

H029736 PEOPLE v. YLIZ

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed April 12, 2007

H031123 AARON R. v. THE SUPERIOR COURT; DFCS

The father's petition for an extraordinary writ is denied. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed April 12, 2007

FRIDAY, APRIL 13, 2007

The following case is submitted this date:

H029815 In re ANTHONY G., et al.; MONTEREY COUNTY DSS v. ANTHONY G., et al.

H028476 PEOPLE v. CRUZ

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed April 13, 2007

H028478 PEOPLE v. HORNE

The judgment is reversed. The matter is remanded for a potential retrial on the charge of making a criminal threat (count 5). If the District Attorney does not elect to retry that charge within 30 days, the court shall enter a new judgment on the remaining counts of which defendant was convicted and for which he was sentenced. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)